

**REMARKS**

**I. Status Of The Claims**

Claims 1-4 and 7-33 are pending in this Application.

Claims 25-33 are withdrawn from consideration.

Claims 1, 3, 7, 14, 15, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Stempeck.

Claims 1, 3, 7, 9, 11, and 13-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinoshita in view of Stevens and Nakao.

Claims 2, 4, 8, 10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinoshita in view of Stevens, Nakao, and Fellegara.

With this response claims 1, 3, 7, 9, 11, and 13-18 are amended.

**II. Claim Rejections**

The Examiner has variously rejected claims 1-4 and 7-24 under 35 U.S.C. 102(b) and 35 U.S.C. 103(a).

The Examiner, citing Fig. 1 and col. 2 ln. 53 to col. 3 ln. 20 of Stempeck, states that the reference discloses an image processing apparatus that has “an electronic view finder setting device adapted to turn on and off said electronic view finder function” and “a review setting device adapted to turn on and off said review function”.

However, Stempeck does fails to disclose various features of the claimed invention.

Stempeck discloses that the observation method is selected from two methods

in the preview mode (see col. 3 ln. 55). One method is that the photographing object is electrically observed by the view finder display 20 (see col. 3 ln. 62), and the other method is that the photographing object is optically observed by the light modulator 32 (see col. 3 ln. 63).

However, for example, with respect to the review mode, Stempeck does not disclose review setting means for turning on and off the review mode which is recited in claims of the claimed application. Stempeck merely discloses hardware structure such as light blocking mode (see col. 3 ln. 54) which achieves the review mode after the photographing operation and the recording operation.

In general, if a display device is turned off, no image is displayed on the display device. Therefore, the review function does not work. However, in the claimed invention, the display device is automatically turned on and the user can observe the image immediately after the photographing operation by previously turning on the review function, even if the display device had been turned off. Therefore, the user can observe the image immediately after the photographing operation on the display device, even if the display device had been turned off (e.g., for the purpose of saving a power of a battery).

As alluded to above, among aspects of the claimed invention are the display setting device and the review setting device. The cited references, taken alone in combination, fail to disclose, teach, or suggest, at least the review setting device.

In view of at least the foregoing, Applicants respectfully submit that all pending claims are in condition for allowance.

Moreover, it is noted that the aspect of independent claims 7, 11, 15, 16, 17, and 18 wherein a review function works for a time period while a predetermined switch is continuously turned on is not disclosed, taught, or suggested by any of the cited references.

**CONCLUSION**

Applicants respectfully submit that this Application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this Application in any way, the Examiner is invited to contact the undersigned at the number provided.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No.

1232-4518. **A DUPLICATE OF THIS DOCUMENT IS ATTACHED.**

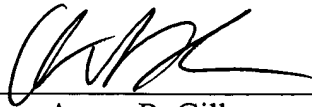
Furthermore, in the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: October 8, 2003

By:



Angus R. Gill  
Registration No. 51,133

**Mailing Address:**  
MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, New York 10154  
(212) 415-8746  
(212) 751-6849 (Fax)